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MEMO ENDORSED

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December 23, 2022

Re: *International House v. Consolidated Edison Company of New York, Inc.*, No. 1:22-cv-8705 (VEC)

The Honorable Valerie E. Caproni
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 240
New York, NY 10007

Dear Judge Caproni:

We represent Defendant Consolidated Edison Company of New York, Inc. in the above-referenced action, and write with the consent of counsel for Plaintiff International House pursuant to Rules 2.A and 2.C of the Court's Individual Practices in Civil Cases. The parties request adjournment of the January 13, 2022 initial pretrial conference previously scheduled by the Court (see Dkt. No. 14), and associated deadlines, pending resolution of Defendant's forthcoming motion to dismiss the complaint, to be filed by January 11, 2023. (Dkt. No. 16.) The parties agree that deferring the entry of a case schedule until such time as Defendant's motion has been adjudicated would conserve Court and party resources. This is the parties' first request for an adjournment of the above-referenced conference.

We thank the Court for its consideration.

Respectfully submitted,

/s/ Frances E. Bivens

Frances E. Bivens

Cc: Counsel of Record (via ECF)

Application GRANTED in part. The pre-trial conference scheduled for Friday, January 13, 2023 at 10:00 A.M. is hereby adjourned *sine die*. The parties' deadline to submit a pre-conference letter and case management plan as set forth in Dkt. 14 is correspondingly extended *sine die*. The parties must nevertheless appear for a telephonic conference before the Court on **Wednesday, January 4, 2023 at 11:00 A.M.** solely regarding how Plaintiffs are determining who qualifies as a class member. The parties should dial in at **(888)-363-4749** using the **access code 3121171#** and the **security code 8705**.

SO ORDERED.

 12/23/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE